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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JOHN ARMSTRONG, et al.,

Plaintiff,

v.

EDMUND G. BROWN, JR., et al.,

Defendant.

Case No. C94 2307 CW

~~PROPOSED~~ STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE FIRST QUARTER OF 2018

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs
2 are to collect periodic attorneys' fees and costs in this case in connection with their work
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on April 20, 2018, Plaintiffs served on Defendants
5 their First Quarterly Statement for 2018 by overnight delivery. The parties completed their
6 meet-and-confer process on June 12, 2018 as to the fees and costs incurred on all matters.

7 As a result of the June 12, 2018 agreement, the parties agree to the following:

8 The parties agree to the payment of \$1,128,040.08 to resolve all fees and costs
9 incurred during the First Quarter of 2018, for monitoring and/or litigation activities in the
10 California Department of Corrections of Rehabilitation Division of Adult Operations and
11 Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
12 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
13 the parties to settle these claims.

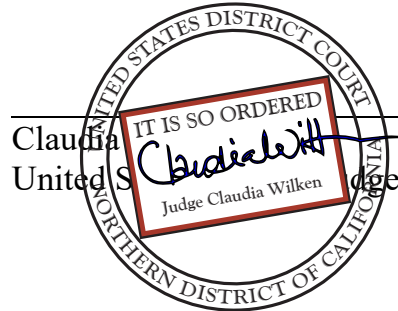
14 The parties agree to the payment of \$49,137.74 to resolve all fees and costs incurred
15 during the First Quarter of 2018, for monitoring and/or litigation activities in the Board of
16 Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts setting
17 forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to
18 settle these claims.

19 The parties agree to the payment of \$207,595.20 to resolve all fees and costs
20 incurred during the First Quarter of 2018, for monitoring and/or litigation activities in the
21 Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
22 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
23 agreed to by the parties to settle these claims.

24 The parties agree to the payment of \$18,641.26 to resolve all fees and costs incurred
25 during the First Quarter of 2018, for fees work. Attached hereto as **Exhibit D** are charts
26 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
27 parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
3 and costs will run from May 21, 2018, accruing at the rate provided by 28 U.S.C. § 1961.
4

5 DATED: June 26, 2018



8 APPROVED AS TO FORM:
9

10 DATED: June 20, 2018

/s/Sharon Garske

Sharon Garske
Deputy Attorney General
Attorney for Defendants

13 DATED: June 12, 2018

/s/Gay Crosthwait Grunfeld

Gay Crosthwait Grunfeld
Rosen Bien Galvan & Grunfeld LLP
Attorney for Plaintiffs

EXHIBIT A

Armstrong v. Brown
First Quarterly Statement of 2018
January 1, 2018 through March 31, 2018

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$1,103,637.21	\$24,402.87
	TOTAL CLAIMED:	\$1,128,040.08

Armstrong v. Brown
First Quarterly Statement of 2018
January 1, 2018 through March 31, 2018
Matter: CDCR/AOAP Monitoring/Merits

<u>Monitoring (581-3)</u>	Actual		2018	Fees Now Owing Based On <u>Negotiated</u> <u>Compromise</u>	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	5.00	5.00	\$965	\$4,825.00	\$4,656.13
Gay C. Grunfeld (GCG)	22.00	21.90	\$835	\$18,286.50	\$17,646.47
Penny Godbold (PG)	243.70	240.30	\$675	\$162,202.50	\$156,525.41
Thomas Nolan (TN)	157.00	145.80	\$700	\$102,060.00	\$98,487.90
Michael L. Freedman (MLF)	55.20	53.70	\$585	\$31,414.50	\$30,314.99
Ben Bien-Kahn (BBK)	107.80	100.60	\$535	\$53,821.00	\$51,937.27
Krista Stone-Manista (KSM)	15.50	13.80	\$535	\$7,383.00	\$7,124.60
Jenny Yelin (JY)	28.20	26.70	\$525	\$14,017.50	\$13,526.89
Michael S. Nunez (MSN)	1.40	0.00	\$500	\$0.00	\$0.00
Christopher D. Hu (CDH)	13.30	13.00	\$440	\$5,720.00	\$5,519.80
Cara E. Trapani (CET)	0.40	0.00	\$375	\$0.00	\$0.00
Mark Shinn-Krantz (MSK)	0.10	0.00	\$375	\$0.00	\$0.00
Karen Stilber (KES)	78.50	73.70	\$340	\$25,058.00	\$24,180.97
Linda Woo (LHW)	3.70	0.00	\$340	\$0.00	\$0.00
F. Gail LaPurja (FGL)	1.30	0.00	\$275	\$0.00	\$0.00
Katherine Hamilton (KCH)	191.70	154.00	\$240	\$36,960.00	\$35,666.40
Dylan Verner-Crist (DVC)	9.20	9.20	\$240	\$2,208.00	\$2,130.72
Charlotte Landes (CJL)	4.30	0.00	\$240	\$0.00	\$0.00
Maisy H. Sylvan (MHS)	127.20	117.80	\$225	\$26,505.00	\$25,577.33
Nathalie Welch (NW)	8.70	0.00	\$240	\$0.00	\$0.00
Hanna Wallace (HW)	357.90	344.90	\$225	\$77,602.50	\$74,886.41
Total Hours:	1,432.10	1,320.40		\$568,063.50	\$548,181.28
RBGG FEES:					
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	21.80	21.80	\$965	\$21,037.00	\$20,300.71
Corene Kendrick (CK)	32.60	32.60	\$675	\$22,005.00	\$21,234.83
Rita Lomio (RL)	162.90	162.90	\$615	\$100,183.50	\$96,677.08
Thomas Nosewicz	57.70	57.70	\$585	\$33,754.50	\$32,573.09
Margot Mendelson (MM)	110.70	110.70	\$535	\$59,224.50	\$57,151.64
Sia N. Henry (SNH)	155.30	155.30	\$425	\$66,002.50	\$63,692.41
Camille Woods (CW)	50.30	50.30	\$350	\$17,605.00	\$16,988.83
Amber Norris (AN)	185.80	185.80	\$335	\$62,243.00	\$60,064.50
Megan Lynch (ML)	232.50	232.50	\$335	\$77,887.50	\$75,161.44
Sarah Hopkins (SH)	49.20	49.20	\$300	\$14,760.00	\$14,243.40
Annalise Finney (AF)	22.10	22.10	\$300	\$6,630.00	\$6,397.95
Meg O'Neill (MO)	2.60	2.60	\$275	\$715.00	\$689.98
Molly Petchenik (MP)	171.40	171.40	\$275	\$47,135.00	\$45,485.28
Tania Amarillas (TA)	102.30	102.30	\$275	\$28,132.50	\$27,147.86
Stacy Amador (SA)	14.90	14.90	\$275	\$4,097.50	\$3,954.09
Alexis Hoffman (AH)	4.50	4.50	\$275	\$1,237.50	\$1,194.19
Katie Tertocha (KT)	45.8	45.8	\$275	\$12,595.00	\$12,154.18
Total Hours:	1,422.40	1,422.40		\$575,245.00	\$555,111.43
PLO FEES:					
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Case Clerk	2.10	2.10	\$170	\$357.00	\$344.51
Total Hours:	2.10	2.10		\$357.00	\$344.51
DREDF FEES:					
TOTAL CDCR/AOAP MONITORING FEES:				\$1,143,665.50	\$1,103,637.21

Armstrong v. Brown

First Quarterly Statement of 2018

January 1, 2018 through March 31, 2018

Costs**Matter: CDCR/AOAP Merits/Monitoring**Fees Now Owing Based
On**Rosen, Bien, Galvan & Grunfeld (581-3)****Costs****Negotiated
Compromise**

Photocopying (In house)	\$2,355.80	\$2,273.35
Photocopying/printing (Outside)	\$1,053.35	\$1,016.48
Translation/Interpreter Services	\$697.64	\$673.22
Online Research - PACER, Westlaw	\$42.46	\$40.97
Postage & Delivery	\$296.16	\$285.79
Telephone	\$25.85	\$24.95
Travel - Mileage, Tolls, Food	\$5,066.82	\$4,889.48
Total RBGG Costs:	\$9,538.08	\$9,204.25

Prison Law Office

Photocopying (In house)	\$660.00	\$636.90
Photocopying (outside)	\$21.95	\$21.18
Interpreting/Translation services	\$2,990.91	\$2,886.23
Travel - Mileage, Tolls, Food	\$10,267.99	\$9,908.61
Postage & Delivery	\$1,479.49	\$1,427.71
Total PLO Costs:	\$15,420.34	\$14,880.63

Disability Rights Education & Defense Fund, Inc.

Photocopying (in-house)	\$303.00	\$292.40
Postage & Delivery	\$26.53	\$25.60
Total DREDF Costs:	\$329.53	\$318.00

TOTAL CDCR/AOAP MERITS/MONITORING COSTS:	\$25,287.95	\$24,402.87
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EXHIBIT B

Armstrong v. Brown

First Quarterly Statement of 2018
January 1, 2018 through March 31, 2018

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$48,575.69	\$562.05
	TOTAL UNDISPUTED:	\$49,137.74

Armstrong v. Brown

First Quarterly Statement of 2018
 January 1, 2018 through March 31, 2018
Matter: BPH

<u>BPH (581-4)</u>	Actual		2018		Fees Now Owing Based On Negotiated Compromise
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	
<u>BPH MONITORING (581-4)</u>					
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	6.70	6.70	\$835	\$5,594.50	\$5,398.69
Thomas Nolan (TN)	27.60	25.60	\$700	\$17,920.00	\$17,292.80
Benjamin Bien-Kahn (BBK)	0.40	0.00	\$535	\$0.00	\$0.00
Cara E. Trapani (CET)	1.10	0.00	\$375	\$0.00	\$0.00
Karen Stilber (KES)	2.20	0.00	\$340	\$0.00	\$0.00
Fely F. Villadelgado (FFV)	0.10	0.00	\$275	\$0.00	\$0.00
Katherine Hamilton (KCH)	5.50	4.20	\$240	\$1,008.00	\$972.72
Total Hours:	43.60	36.50			
RBGG FEES:				\$24,522.50	\$23,664.21
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	1.5	1.5	\$965	\$1,447.50	\$1,396.84
Sara Norman (SN)	4.00	4.00	\$790	\$3,160.00	\$3,049.40
Sia N. Hentry (SNH)	27.80	27.80	\$425	\$11,815.00	\$11,401.48
Mae Ackerman-Brimberg (MAB)	22.10	22.10	\$425	\$9,392.50	\$9,063.76
Total Hours:	55.40	55.40			
PLO FEES:				\$25,815.00	\$24,911.48
TOTAL FEES FOR BPH WORK:				\$50,337.50	\$48,575.69

Armstrong v. Brown

First Quarterly Statement of 2018

January 1, 2018 through March 31, 2018

Costs***Matter: BPH***

		Fees Now Owing Based On <u>Negotiated</u> <u>Compromise</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-4)</u>	Costs	
Photocopying (In house)	\$171.60	\$165.59
Travel - Mileage, Tolls, Food	\$5.50	\$5.31
Total RBGG Costs:	\$177.10	\$170.90
 <u>Prison Law Office</u>		
Travel - Mileage, Tolls, Food	\$405.34	\$391.15
Total PLO Costs:	\$405.34	\$391.15
 TOTAL BPH COSTS:	\$582.44	\$562.05

EXHIBIT C

Armstrong v. Brown
First Quarterly Statement of 2018
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DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COST</u>
DAPO MONITORING	\$202,862.30	\$4,732.90
	TOTAL UNDISPUTED:	\$207,595.20

Armstrong v. Brown

First Quarterly Statement of 2018

January 1, 2018 through March 31, 2018

Matter: DAPO Monitoring

<u>DAPO Monitoring (581-9)</u>	Actual		2018	Fees Now Owing	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	<u>Based On</u>
					<u>Negotiated</u>
					<u>Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	0.50	0.00	\$965	\$0.00	\$0.00
Gay C. Grunfeld (GCG)	13.80	13.80	\$835	\$11,523.00	\$11,119.70
Penny Godbold (PG)	24.00	23.00	\$675	\$15,525.00	\$14,981.63
Thomas Nolan (TN)	31.10	29.10	\$700	\$20,370.00	\$19,657.05
Michael L. Freedman (MLF)	45.90	45.80	\$585	\$26,793.00	\$25,855.25
Benjamin Bien-Kahn (BBK)	69.90	66.30	\$535	\$35,470.50	\$34,229.03
Krista Stone-Manista (KSM)	25.90	25.70	\$535	\$13,749.50	\$13,268.27
Jenny S. Yelin (JSY)	62.20	58.70	\$525	\$30,817.50	\$29,738.89
Christopher Hu (CDH)	2.50	0.00	\$440	\$0.00	\$0.00
Karen Stilber (KES)	19.30	19.20	\$340	\$6,528.00	\$6,299.52
F. Gail LaPurja (FGL)	10.30	9.70	\$275	\$2,667.50	\$2,574.14
Marcus V. Levy (MVL)	0.30	0.00	\$275	\$0.00	\$0.00
Katherine Hamilton (KCH)	9.90	9.90	\$240	\$2,376.00	\$2,292.84
Nathalie Welch (NCW)	247.10	185.00	\$240	\$44,400.00	\$42,846.00
Dylan Verner-Crist (DVC)	1.50	0.00	\$240	\$0.00	\$0.00
Maisy Sylvan (MHS)	4.40	0.00	\$225	\$0.00	\$0.00
Hanna Wallace (HW)	0.50	0.00	\$225	\$0.00	\$0.00
Total Hours:	569.10	486.20			
RBGG FEES:				\$210,220.00	\$202,862.30
TOTAL FEES FOR DAPO					
MONITORING WORK:				\$210,220.00	\$202,862.30

Armstrong v. Brown

First Quarterly Statement of 2018

January 1, 2018 through March 31, 2018

Costs***Matter: DAPO Monitoring***

<u>Rosen, Bien, Galvan & Grunfeld (581-9)</u>	Costs	Fees Now Owing Based On
		<u>Negotiated Compromise</u>
Photocopying (in-house)	\$1,172.40	\$1,131.37
Photocopying (outside)	\$217.85	\$210.23
Interpreting/translation	\$71.50	\$69.00
Pacer	\$3.00	\$2.90
Westlaw	\$88.46	\$85.36
Inhouse Postage	\$408.17	\$393.88
Long distance telephone charges	\$1.85	\$1.79
Travel - Mileage, Tolls, Food	\$2,941.33	\$2,838.38
Total RBGG Costs:	\$4,904.56	\$4,732.90
TOTAL CLAIMED DAPO MONITORING COSTS:	\$4,904.56	\$4,732.90

EXHIBIT D

Armstrong v. Brown
First Quarterly Statement of 2018
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SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$18,466.24	\$175.02
TOTAL UNDISPUTED:		\$18,641.26

Armstrong v. Brown

First Quarterly Statement of 2018
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Matter: All Matters Fees Work

<u>Fees (581-2)</u>	Actual		2018	Fees Now Owing	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	<u>Based On</u>
					<u>Negotiated</u>
					<u>Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	12.90	12.80	\$835	\$10,688.00	\$10,313.92
Thomas Nolan (TN)	0.20	0.00	\$700	\$0.00	\$0.00
Benjamin Bien-Kahn (BBK)	0.20	0.00	\$535	\$0.00	\$0.00
Karen E. Stilber (KES)	20.50	19.10	\$340	\$6,494.00	\$6,266.71
Hanna N. Wallace (HNW)	0.20	0.00	\$225	\$0.00	\$0.00
Total Hours:	34.00	31.90			
RBGG FEES:				\$17,182.00	\$16,580.63
<u>PRISON LAW OFFICE</u>					
Corene Kendrick (CK)	0.90	0.90	\$675	\$607.50	\$586.24
Ashley Kirby (AK)	4.4	4.4	\$210	\$924.00	\$891.66
Total Hours:	5.30	5.30			
PLO FEES:				\$1,531.50	\$1,477.90
<u>DISABILITY RIGHTS EDUCATION AND</u>					
<u>DEFENSE FUND</u>					
Linda Kilb (LDK)	0.50	0.50	\$845	\$422.50	\$407.71
Total Hours:	0.50	0.50			
DREDF FEES:				\$422.50	\$407.71
TOTAL FEES FOR ARMSTRONG					
FEES WORK:				\$19,136.00	\$18,466.24

Armstrong v. Brown

First Quarterly Statement of 2018

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Costs***Matter: Fees Work in All Matters***Fees Now Owing Based
On**Rosen, Bien, Galvan & Grunfeld (581-2)****Costs****Negotiated
Compromise**

Photocopying and Printing (in-house)	\$133.60	\$128.92
Long distance telephone	\$1.75	\$1.69
Postage & Delivery	\$44.42	\$42.87
Total RBGG Costs:	\$179.77	\$173.48

Disability Rights Education & Defense Fund, Inc.

Photocopying (in-house)	\$1.60	\$1.54
Total DREDF Costs:	\$1.60	\$1.54

TOTAL FEES WORK COSTS :	\$181.37	\$175.02
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